

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NOVA CHEMICALS CORPORATION	)	
(CANADA), and NOVA CHEMICALS INC.	)	
(DELAWARE),	)	
	)	
Plaintiff,	)	
	)	C.A. No. 13-1601 (LPS)
v.	)	
	)	
THE DOW CHEMICAL COMPANY,	)	
	)	
Defendant.	)	

**DEFENDANT'S MOTION FOR SANCTIONS, ATTORNEYS' FEES AND COSTS**

Pursuant to 28 U.S.C. § 1927, 35 U.S.C. § 285, and the Court's inherent powers, Defendant The Dow Chemical Company moves for sanctions and an award of attorneys' fees and costs against Plaintiffs NOVA Chemicals Corporation (Canada) and NOVA Chemicals Inc. (Delaware). The grounds for this motion are fully set forth in Defendant's Opening Brief, submitted herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Rodger D. Smith II*

---

Rodger D. Smith II (#3778)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 658-9200  
rsmith@mnat.com

*Attorneys for Defendant  
The Dow Chemical Company*

OF COUNSEL:

Anton R. Valukas  
Harry J. Roper  
Aaron A. Barlow  
Paul D. Margolis  
JENNER & BLOCK LLP  
353 North Clark Street  
Chicago, IL 60654  
(312) 222-9350

Kathleen M. Sullivan  
Raymond N. Nimrod  
William B. Adams  
QUINN EMANUEL URQUHART & SULLIVAN LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010

September 5, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that on September 5, 2014, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on September 5, 2014, upon the following in the manner indicated:

Richard L. Horwitz, Esquire  
David E. Moore, Esquire  
Bindu A. Palapura, Esquire  
POTTER ANDERSON & CORROON LLP  
1313 North Market Street  
Hercules Plaza, 6th Floor  
P.O. Box 951  
Wilmington, DE 19899-0951  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

Louis J. Freeh, Esquire  
PEPPER HAMILTON LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

Raymond A. Miller, Esquire  
PEPPER HAMILTON LLP  
500 Grant Street  
Pittsburgh, PA 15219-2507  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

Ford F. Farabow, Jr., Esquire  
Darrel C. Karl, Esquire  
Ronald A. Bleeker, Esquire  
Mark J. Feldstein, Esquire  
Donald R. Dunner, Esquire  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
901 New York Avenue, N.W.  
Washington, DC 20001-4413  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

H. Woodruff Turner, Esquire  
Thomas A. Donovan, Esquire  
Thomas J. Smith, Esquire  
Cody Corliss, Esquire  
David I. Kelch, Esquire  
K&L GATES LLP  
210 Sixth Avenue  
Pittsburgh, PA 15222-2613  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

*/s/ Rodger D. Smith II*

---

Rodger D. Smith II (#3778)